

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HERITAGE REALTY MANAGEMENT,	)	Case No. CA 04 - 333 ERIE
INC.,	)	
Plaintiff	)	Judge Sean McLaughlin
	)	
v.	)	
	)	
JOHN ALLIN d/b/a ALLIN COMPANIES,	)	
Defendant-Third Party Plaintiff	)	
	)	
v.	)	
	)	
SYMBIOT BUSINESS GROUP, INC. and	)	
SYMBIOT SNOW MANAGEMENT	)	
NETWORK, LLC,	)	
Third Party Defendants	)	TRIAL BY JURY OF 12 DEMANDED

**DEFENDANT'S APPENDIX**

Exhibit A – Margaret (Peggy) Allin deposition transcript

Exhibit B – Affidavit of John Allin

Exhibit C – Excerpts of Asset Purchase Agreement between John Allin and Symbiot dated November 3, 2004

Exhibit D – Affidavit of Christina (Tina) Padilla-Albano

Exhibit E – Affidavit of Margaret (Peggy) Allin

Exhibit F – Affidavit of Lisa Edwards

Exhibit G – Affidavit of Rudolph Rieder

Exhibit H – Affidavit of Linda Spinelli

Exhibit I – Affidavit of F. Michael Suleski

Exhibit J – Affidavit of Chester Zelgowski

Exhibit K – Rudy Rieder e-mail 11/4/04

Exhibit L – Itemization of costs and expenses

Exhibit M – Rudy Rieder e-mail 11/8/04

Exhibit N – Brian Marshall e-mail 4/16/04

Exhibit O – Rudy Rieder e-mail 10/28/04

Exhibit P – Mary Russel e-mail 10/28/04

Exhibit Q – Bob Prendergast e-mail 8/3/04

Respectfully submitted,

ELDERKIN, MARTIN, KELLY & MESSINA

By /s/ Craig A. Markham  
Craig A. Markham, Esquire  
Attorney for Defendant  
150 East Eighth Street  
Erie, Pennsylvania 16501  
(814) 456-4000